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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,725	04/13/2004	Sachiko Hoshino	1309.43768X00	3017

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EXAMINER

BATAILLE, PIERRE MICHE

ART UNIT PAPER NUMBER

2186

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/822,725

Applicant(s)

HOSHINO ET AL.

Examiner

Pierre-Michel Bataille

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-9 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 10 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The Present Office Action is taken in response to Applicant communication filed August 9, 2005 responding to Final Rejection dated February 17, 2006 and Advisory Action dated August 3, 2006. Applicant's amendment and/or arguments have been considered with the results that follow.
2. Claims 1-10 are pending in the application under prosecution.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-2 and 10 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1- 2 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2004/0221105 (Fujimoto et al).

With respect to claim 1 and 10, Fujimoto discloses a storage subsystem, comprising: a plurality of channel adapters that each controls the exchange of data with a host device (channel IF unit 11 in connection with host 3 and interconnection network 41, Fig. 2); a plurality of storage device groups that each provides a logical storage region (storage device group 2, Fig. 2); a plurality of disk adapters that each controls the exchange of data with each of the storage device groups (disk IF unit in connection with disk groups 2 and interconnection network 41); a cache memory that is used by each of the channel adapters and each of the disk adapters [(plural cache control units that include cache memory and control of cache memory is independent inside the control cluster) Par. 0018]; a plurality of cache partition regions constituted by logically partitioning the cache memory; and a control memory that stores management information for managing each of the cache partition regions [control memory unit storing control information relating to data transfer and management of disk group) [Par. 0066, 0090]; wherein the management information is constituted by both a plurality of partition management information that is used to independently manage corresponding ones of the cache partition regions, and common management information that is used to commonly manage a plurality of the cache partition regions (the plural cache control units are divided into plural control clusters, control of the cache memories is independent inside the control clusters, and a system management unit manages as a single system) [Par. 0018; 0090; 0094].

With respect to claim 2, Fujimoto discloses the storage subsystem wherein the partition management information and the common management information are established based on an indication of a kind of status in which data is stored in an area of the cache partition region [logical path settings, Par. 0093].

***Allowable Subject Matter***

6. Claims 4-9 are allowed.
7. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2005/0149677 (Shimada et al) teaches computers accessing the logical unit are grouped into groups in such a manner that the computers can overlap each other. Each of the groups is assigned one or a plurality of logical units, and a management table is provided which correlates the assigned logical units and storage regions of the storage devices in such a manner that they can overlap

US 20050050085 (Shimada et al) Apparatus and method for partitioning and managing subsystem logics managing logics in a subsystem which comprises a partition definition table in which logical resources and physical

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resources in said subsystem are assigned for each user at an interface level at which a computer can reference a storage configuration by using a storage management program and an account table in which a partition-specific account is set for each user that is defined in said partition definition table

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Michel Bataille whose telephone number is (571) 272-4178. The examiner can normally be reached on Mon-Fri (8:00A to 4:30P).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew M. Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Pierre-Michel Bataille  
Primary Examiner  
Art Unit 2186

October 20, 2006

**PIERRE BATAILLE**  
**PRIMARY EXAMINER**